



P.B. 5818 - Patentlaan 2
2280 HV Rijswijk (ZH)
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**Europäisches
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Generaldirektion 1

Directorate General 1

Direction générale 1

Ling, Christopher John
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EPO Customer Services

Tel.: +31 (0)70 340 45 00

Date

20.09.06

Reference
FIS920030347EP1

Application No./Patent No.
04704467.2 - 2203 PCT/US2004001721

Applicant/Proprietor
International Business Machines Corporation

Notification of European publication number and information on the application of Article 67(3) EPC

The provisional protection under Article 67(1) and (2) EPC in the individual contracting states becomes effective only when the conditions referred to in Article 67(3) EPC have been fulfilled (for further details, see information brochure of the European Patent Office "National Law relating to the EPC" and additional information in the Official Journal of the European Patent Office).

Pursuant to Article 158(1) EPC the publication under Article 21 PCT of an international application for which the European Patent Office is a designated Office takes the place of the publication of a European patent application.

The bibliographic data of the above-mentioned Euro-PCT application will be published on 18.10.06 in Section I.1 of the European Patent Bulletin. The European publication number is 1711966.

In all future communications to the European Patent Office, please quote the application number plus Directorate number.

Receiving Section





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04-09-2006

Reference
FIS920030347EP1

Application No./Patent No.
04704467.2 - PCT/US2004001721

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International Business Machines Corporation

Communication pursuant to Rules 109 and 110 EPC

(1) Amendment of application documents, especially the claims (R. 109 EPC)

The above mentioned international (Euro-PCT) application has entered the European phase, or can do so, once the necessary conditions are fulfilled.

Under Articles 28, 41 PCT, Rules 52, 78 PCT and Rule 86(2) to (4) EPC, the applicant may amend the application documents after receiving the international search report.

Whether or not he has already done so, he now has a further opportunity to file amended claims or other application documents within a non-extendable time limit of one month after notification of the present communication (R. 109 EPC).

The claims applicable on expiry of the above time limit, i.e. those filed on entry into the European phase or in response to the present communication, will form the basis for the calculation of any claims fee to be paid (see page 2) and for any supplementary search to be carried out under Article 157(2) EPC (R. 109 EPC).

-2/

**(2) Claims fees under Rule 110 EPC**

If the application documents on which the European grant procedure is to be based comprise more than ten claims, a claims fee shall be payable for the eleventh and each subsequent claim within the period provided for in Rule 107(1) EPC.

- ☒ Based on the application documents currently on file, all necessary claims fees have already been paid (or the documents do not comprise more than 10 claims).
- ☐ All necessary fees will be/have been debited automatically according to the automatic debit order.
- ☐ The claims fee due for the claims to were not paid within the above-mentioned period.

Any non-paid claims fee, either based on the current set of claims or on any amended claims to be filed pursuant to Rule 109 EPC (see page 1), may still be validly paid within a non-extendable period of grace of **one month** after notification of this communication.

If a payment is made for only some of the claims, it must be indicated for which claims it is intended. If a claims fee is not paid in due time, the claim concerned is deemed to be abandoned (R. 110(4) EPC).

If claims fees have already been paid, but on expiry of the above-mentioned time limit there is a new set of claims containing fewer fee-incurring claims than previously, the claims fees in excess of those due under Rule 110(2), 2nd sentence, EPC will be refunded (R. 110(3) EPC).

You are reminded that any supplementary search under Article 157(2) EPC will relate only to the last set of claims applicable on expiry of the above time limit AND will be confined to those fee-incurring claims for which fees have been paid in due time.

The fee for the eleventh and each subsequent claim is EUR 45,00.

Receiving Section





To the European Patent Office

Entry into the European phase (EPO as designated or elected Office)

European application number	EP04704467.2
PCT application number	PCT/US2004/001721
PCT publication number	WO2005079182
Applicant's or representative's reference	FIS920030347EP1
1. Applicant Particulars of the applicant(s) are contained in the international publication or were recorded by the International Bureau subsequent to the international publication. Changes which have not yet been recorded by the International Bureau are set out here: Address for correspondence	<input checked="" type="checkbox"/> <input type="checkbox"/>
2. Representative 1 This is the representative who will be listed in the Register of European Patents and to whom notifications will be made Name Registration No Address of place of business Telephone Fax e-mail Any additional representative(s) is/are listed here:	LING Christopher, John 0080400.5 IBM United Kingdom Limited Intellectual Property Law Hursley Park Winchester, Hampshire, SO21 2JN United Kingdom +44 1962 815212 +44 1962 818927 <input type="checkbox"/>
3. General Authorisation: An individual authorisation is attached. A general authorisation has been registered under No: A general authorisation has been filed, but not yet registered. The authorisation filed with the EPO as PCT receiving Office expressly includes the European phase.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
4. Request for examination Examination of the application under Art. 94 EPC is hereby requested. The examination fee is being (has been, will be) paid. Request for examination in an admissible non-EPO language:	<input checked="" type="checkbox"/> <input type="checkbox"/>
5. Copies One or more additional sets of copies of the documents cited in the supplementary European search report are hereby requested. Number of additional sets of copies	<input type="checkbox"/>
6. Documents intended for proceedings before the EPO 6.1 Proceedings before the EPO as designated Office (PCT I) are to be based on the following documents: the application documents published by the International Bureau (with all claims, description and drawings), where applicable with amended claims under Art. 19 PCT	<input type="checkbox"/>

RO SE SI SK TR

10.2 It is currently intended to pay fewer than seven designation fees for the following EPC contracting states designated in the international application:

☐

10.3 It is requested that no communication under Rules 85a(1) or 69(1) need be notified in respect of the contracting states not indicated. If an automatic debit order has been issued, the EPO is authorised, on expiry of the basic period under Article 79(2), to debit seven times the amount of the designation fee. If less than seven states are indicated, the EPO shall debit designation fees only for those states, unless it is instructed to do otherwise before expiry of the basic period.

☒**11. Extension of the European patent**

This application is also considered as being a request for extension to all the non-contracting states to the EPC designated in the international application with which "extension agreements" were in force on the date of filing the international application. However, the extension only takes effect if the prescribed extension fee is paid.

☒

It is currently intended to pay the extension fee for the following states:

12. List of enclosed documents

	Description of document	Original file name	Assigned file name
1	Combined Amendments	FIS920030347EP1 RegPh.pdf	SPECEPO.pdf

13. Debit from deposit account

Currency

☒

The European Patent Office is hereby authorised, to debit from the deposit account with the EPO any fees and costs indicated on the fees page.

EUR

Deposit account number

28050025

Account holder

IBM United Kingdom Limited

14. Reimbursements (if any) should be made to the following EPO deposit account:☒

Number and account holder

IBM United Kingdom Limited,
28050025**15. Fees**

		Factor/Reduction applied	Fee schedule	Amount to be paid
15-1	002e Fee for supplementary European search for applications filed before 01.07.2005	0.8	720.00	576.00
15-2	005 Designation fee	7	80.00	560.00
15-3	006e Examination fee (Euro-PCT without supplementary European search report)	1	1 490.00	1 490.00
15-4	015 Claims fee	8	45.00	360.00
15-5	020 Basic national fee for an international application	1	95.00	95.00
15-6	033 Renewal fee for the 3rd year	1	400.00	400.00
Total:			EUR	3 481.00

16. Annotations**17. Signature(s) of applicant(s) or representative**

Place:

Winchester

Date:

09.August 2006

Signed by:

GB, IBM United Kingdom Ltd., C. Ling 552

Capacity:

(Representative)



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Acknowledgement of receipt

We hereby acknowledge receipt of the form for entry into the European phase (EPO as designated or elected Office) as follows:

Submission number	146396	
PCT application number	PCT/US2004/001721	
Date of receipt	09 August 2006	
Receiving Office	European Patent Office, The Hague	
Your reference	FIS920030347EP1	
Applicant		
Country		
Documents submitted	package-data.xml ep-euro-pct.xml SPECEPO.pdf\FIS920030347EP1 RegPh.pdf (18 p.)	epf1200.pdf (3 p.) application-body.xml
Submitted by	GB, IBM United Kingdom Ltd., C. Ling 552 Subject: GB, IBM United Kingdom Ltd., C. Ling 552; Issuer: , European Patent Office, European Patent Office CA	
Method of submission	Online	
Date and time receipt generated	09 August 2006, 15:40:21 (CEST)	
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/European Patent Office/